

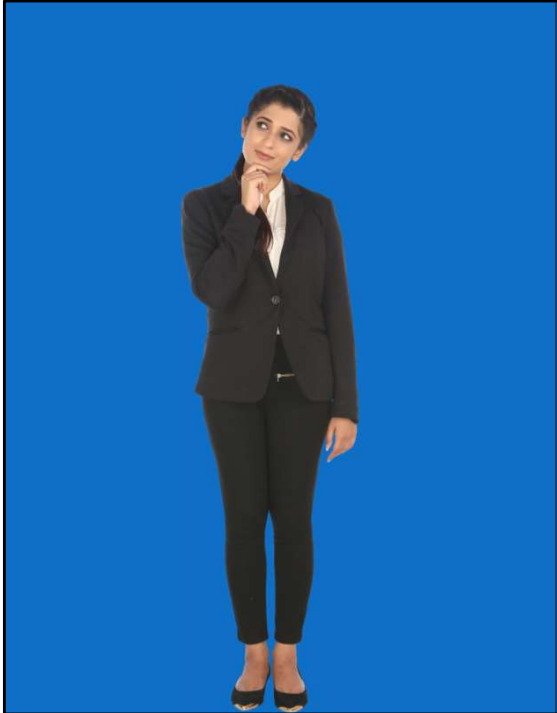


SUPERVISING JUVENILES ACROSS JURISDICTIONS

Intercounty Transfers and Interstate Compact

Intercounty transfers is made up of disposition hearing transfer, courtesy supervision, and case transfer.

Course Objectives	Review	Review Arizona mandates related to Intercounty Transfers and Interstate Compact
	Compare and contrast	Compare and contrast the different types of Intercounty Transfers
	Describe	Describe responsibilities for sending and receiving counties for Intercounty Transfers
	Illustrate	Illustrate the importance of information sharing between departments involved in Courtesy Probation Supervision
	Explain	Explain how Interstate Compact differs from Intercounty Transfers



What do you think?

You have a new juvenile on your caseload who was transferred from another county probation department.

What can be done to ensure the transition for this juvenile supports your role as an agent of change?

Start the class by posing the above question to the class. Generate a list on chart paper.

Possible responses might include-

- Strong communication with the sending Probation Officer/Department
- Information sharing includes
 - Terms and Conditions of probation
 - Case plan goals and progress
 - Treatment programs ordered and communications with providers
 - Incentives that work with the juvenile
 - Details about the juvenile's protective factors
 - Success and challenges of juvenile's support system

Terminology

Jurisdiction

- the term that refers to the limits of a legal authority. It can refer to both political territories and geographic regions, as well as the types of legal matters over which a legal body has authority

Intercounty Transfer

- refers to the process by which a probationer's case is moved (transferred) to another county or jurisdiction
 - Transfer of Disposition Hearing
 - Courtesy Transfer (or Courtesy Supervision)
 - Transfer of Probation

Sending County

- defined as the county requesting the transfer

Receiving County

- defined as the county accepting a transfer

HANDOUT – we should have a full glossary of terms and refer the participants there

Explain that some transfers involve the changing of jurisdiction (county court and probation department).

Transfers involve 2 jurisdictions, or counties – one who requests to transfer the case and the other that accepts it. Depending upon the type of transfer, there will be certain responsibilities that must be fulfilled by each county.

Arizona Rules of Procedure for the Juvenile Court

Intercounty Transfers

Transfer of Disposition Hearing

- Rule 20(B)

Courtesy Probation Supervision

- Rule 20(C)*

Probation Case Transfers

- Rule 20(D)*

*Does not apply to juveniles in out-of-home care

****Question to group**** Should we re-order these so that they fall in the same order that we will be presenting them?

HANDOUT – Westlaw Rules and Procedure

Rules of Procedure for the Juvenile Court (Handout to be provided)

Courtesy Supervision and Case Transfers are governed by Arizona Rule 20 (NEW Rule 225 effective Aug 2022) subsection C and D. Arizona Rule states:

Handout provided includes this authority. Direct participants to the specific language of these Rules.

As stipulated in subsection E, this rule does not apply to out-of-county residential placements. Out of Home Care is defined in Arizona Code of Judicial Administration 6-301.01 and 6-302.01 as “the juvenile resides at a licensed facility that provides treatment or behavioral modification services under 24-hour structured supervision. This category of care does not include foster care, kinship care, or temporary shelter services.”

Interstate compact will be discussed further in the presentation.

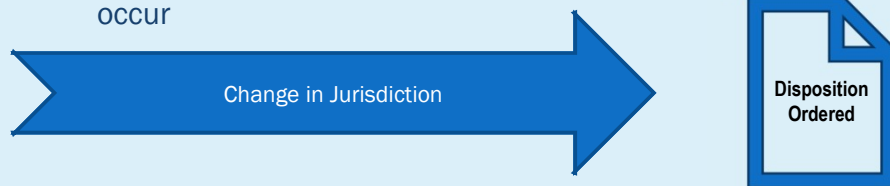
TRANSFER OF DISPOSITION HEARING



Section Header- we begin with a discussion on the transfer of a case prior to another court for the disposition hearing

Transfer of Disposition Hearing

- Defined as the sending county court authorizing the transfer of a disposition hearing to the county of the juvenile's residence. Upon approval of:
 - the court of the receiving county *AND*
 - the victim of the offense, who has had the opportunity to be heard, declines to be present at the hearing, and agrees to the transfer
- Reason for disposition hearing transfer:
 - Juvenile resides in a different county than where the offense occurred and where ultimately the probation supervision would occur



Eligible cases (outlined in Arizona Rule 20, section A)

- "The court may authorize the transfer of a disposition hearing to the county of the juvenile's residence upon agreement of the parties, which shall include the court of the receiving county. This agreement shall ensure that the victim of the offense has had the opportunity to be heard, declines to be present at the hearing and agrees to the transfer."
- Disposition hearing transfer needs to be authorized by the Court. The court may opt to NOT transfer the disposition hearing to another county if that transfer would prevent the victim from participating in the hearing.

The reason for a disposition hearing transfer

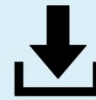
- Juvenile and parent/legal guardian reside in the receiving county rather than where the offense occurred and petition was filed.
- Note: The results of the disposition hearing may not result in a term of probation.
- Arizona Rule 20B details further information regarding the Transfer of Disposition hearings.

Responsibilities

- The sending county probation department shall provide copies of the juvenile's social file and any other pertinent information to the receiving county at least 14 days prior to the disposition hearing
- The receiving county probation department assumes jurisdiction and will:
 - Conduct the AZYAS Disposition Instrument
 - Complete the Recommendation Matrix
 - Prepare the Pre-Disposition Report



Sending County



Receiving County

HANDOUT – illustrating the responsibilities of sending and receiving departments for all 4 examples (in a chart format)

Responsibility for the sending county probation department is to send copies of the juvenile's social file and any other pertinent information to the receiving county at least 14 days prior to the disposition hearing.

The receiving county would be responsible for all of these. If probation is ordered, the receiving county will provide supervision.

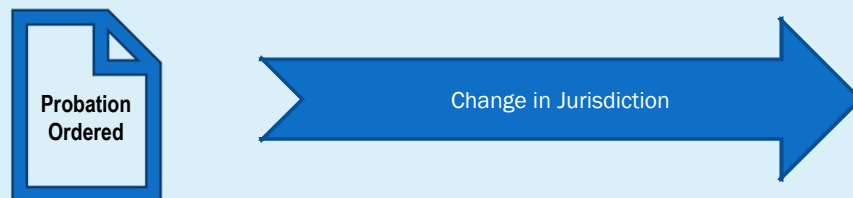
PROBATION CASE TRANSFERS



Section Header – this next section outlines the process for a case transfer that takes place after a juvenile has been placed on probation

Probation Case Transfer

- Defined as the process by which a probationer's case is transferred to another county or jurisdiction
- Does not apply to juveniles in out-of-home care outside of their county of jurisdiction



*Original rule included a timeframe of 120 days. New rule 225, effective Aug 2022, does not have a timeframe of 120 days.

Responsibilities

- Responsibility for the sending county probation department:
 - *Copies of the social file and any other pertinent information shall be sent to the receiving county*
- The court of the receiving county shall assume jurisdiction of the case when a transfer is granted



Sending County



Receiving County

Once case is transferred, the sending county has no jurisdiction over this case.

Sending county should send:

- AZYAS Assessments – these completed assessments are not accessible in the portal for other county staff

Next section on Courtesy Supervision has requirements for communication between sending and receiving counties.

COURTESY PROBATION SUPERVISION

Courtesy Probation Supervision

- Defined as the transfer of the probationer's supervision to another county authorized by the court
 - *Sending county is defined as the county requesting courtesy supervision*
 - *Receiving county is defined as the county providing courtesy supervision once accepted*
- Sending county requesting courtesy supervision retains jurisdiction



Courtesy probation supervision is defined in Arizona Rule as the transfer of the juvenile's supervision to another county as authorized by a court order.

The sending county is defined as the county requesting courtesy supervision and the receiving county is defined as the county providing courtesy supervision once accepted.

The sending county requesting courtesy supervision retains jurisdiction and the juvenile is considered an inactive case. The juvenile is considered an active case for the sending county providing courtesy supervision.

We will go into further details on the sending and receiving county responsibilities in the next slide.

Just a reminder that this does not apply to juveniles in out-of-home care outside of their county of jurisdiction. Out of Home Care is defined in Arizona Code of Judicial Administration 6-301.01 and 6-302.01 as “the juvenile resides at a licensed facility that provides treatment or behavioral modification services under 24-hour structured supervision. This category of care does not include foster care, kinship care, or temporary shelter services.”

Courtesy Probation Supervision

- Example for courtesy supervision request
 - *Juvenile is spending summer break with non-custodial parent or grandparent and will return when school year begins*
- Receiving county will supervise in accordance with the terms and conditions originally imposed OR if the receiving county is unable to supervise as ordered, the sending county court may amend the terms and conditions to permit transfer
- This does not apply to juveniles in out-of-home care outside of their county of jurisdiction

Arizona Rule clarifies that the sending county requesting courtesy supervision is responsible for collecting fees and victim restitution and for filing violations of probation. Additionally, since jurisdiction for courtesy supervision cases stay with the sending county, they are also responsible for creating and updating the case plan, completing AZYAS assessments, including all reassessments (minimally every 6 months), and all other general case management responsibilities. As the receiving county probation supervisor, their responsibilities include providing supervision to the juvenile, which includes completing visual contacts with the juvenile, parents or legal guardian, and any collateral contacts. Both departments are to collaborate with one another to ensure compliance with the contact standards and address any graduated responses, sanctions and incentives. This level of collaboration will assist the sending county PO in determining if a probation violation is appropriate OR if there's a potentiality of early termination from probation for compliant behavior and the juvenile's progress in the case plan.

Arizona Rule further clarifies that "if the receiving county is unable to ensure that the terms and conditions of probation can be supervised as ordered, the court in the sending county may, after a hearing, amend the terms and conditions of probation to permit transfer." As a probation officer this means when a case is sent for courtesy supervision, then the receiving county PO is to supervise based on the signed uniform conditions of supervised probation and any court order. If any term or court order is unable to be completed, for example if the juvenile was ordered to be on JIPS level 1, but your department supervises all youth on JIPS level 3, then proceed to follow departmental protocol to have the sending county modify the terms and conditions so it could be transferred and supervision may be provided.

We will go into further details on the sending and receiving county responsibilities in the

next slide.


Just a reminder that this does not apply to juveniles in out-of-home care outside of their county of jurisdiction. Out of Home Care is defined in Arizona Code of Judicial Administration 6-301.01 and 6-302.01 as “the juvenile resides at a licensed facility that provides treatment or behavioral modification services under 24-hour structured supervision. This category of care does not include foster care, kinship care, or temporary shelter services.”



Edit these notes to be bullet points rather than paragraph

(Handout for binder) Arizona Rule clarifies that the sending county requesting courtesy supervision is responsible for collecting fees and victim restitution and for filing violations of probation. Additionally, since jurisdiction for courtesy supervision cases stay with the sending county, they are also responsible for creating and updating the case plan, completing AZYAS assessments, including all reassessments (minimally every 6 months), and all other general case management responsibilities. The responsibilities of the receiving county, providing supervision to the juvenile, includes completing visual contacts with the juvenile and checking on the case plan progress. Also, contacts are to be made with parents or legal guardian, and any collateral contacts. Both departments are to collaborate with one another to ensure compliance with the contact standards, discuss needs for case plan updates and address any graduated responses, sanctions and incentives. This level of collaboration will assist the sending county PO in determining if a probation violation is appropriate OR if there's a potentiality of early termination from probation for compliant behavior and the juvenile's progress in the case plan.


Note: AZYAS details in the electronic system are not available to the receiving PO. This information is only available to the department that completed and entered the data.



What do you think?

Courtesy Supervision does not begin until the receiving county officially accepts the juvenile's case. As the sending Probation Officer, what are your responsibilities while awaiting the approval for transfer?

- The sending county is still responsible for all supervision requirements until the receiving county officially accepts the juvenile's case



What do you think?

If you are transferring a probation case to another county, what information is imperative to include?

Discussion

A copy of the legal file and social file are required to be sent

If you are transferring a probation case to another county, what information is imperative to include?

- Case plan goals and progress
- AZYAS assessment – copies from the portal
- Details about treatment
- Challenges regarding working with the juvenile and family and what strategies you've used

INTERSTATE COMPACT

Interstate Compact for Juveniles (ICJ)

- Federal law that regulates the interstate movement of juveniles who are under court supervision or have run away to another state.
- A contract that has been adopted as law throughout the United States. Therefore, all state and local officials are legally bound to honor and enforce the terms of the Compact.
- The Compact provides requirements for supervision and return of juveniles who:
 - *are on probation, parole, or other supervision, or have escaped to another state;*
 - *have run away from home and left their state of residence;*
 - *have been accused of an offense in another state.*

Sharing the responsibilities for supervising juveniles on probation can also occur across state lines. The Interstate Compact for Juveniles (ICJ) is the set of guidelines that states follow to provide the shared supervision.

Arizona Authority

Arizona Revised
Statutes (A.R.S.)
§ 8 – 361:

Adoption of interstate
compact for juveniles

A.R.S. § 8 –
363:

Designates Department
of Juvenile Corrections
(ADJC) as the state's
interstate compact
commissioner and
compact administrator

Interstate compact is governed by Arizona Revised Statutes 8 – 361 and 8 – 363. There is no Arizona Rule and judicial code relating to interstate compact.

Transfers of Supervision - Eligibility

A supervised juvenile relocating to another state must be transferred through the ICJ if the juvenile:



Is classified as a juvenile in the sending state AND



Is an adjudicated delinquent, adjudicated status offender, or has a deferred adjudication AND



Is under the jurisdiction of a court of appropriate authority AND

A supervised juvenile who is relocating to another state must be transferred through the ICJ if the juvenile:

Is classified as a juvenile in the sending state; and

Is an adjudicated delinquent, adjudicated status offender, or has a deferred adjudication; and

Is under the jurisdiction of a court of appropriate authority; and

Has a plan to relocate for a period exceeding 90 days; and

Has more than 90 days of supervision remaining; and

Will reside with a legal guardian, relative, non-relative or independently; OR

Is a fulltime student at an accredited secondary school, university/college, or a licensed specialized training program.

Transfers of Supervision - Eligibility

A supervised juvenile relocating to another state must be transferred through the ICJ if the juvenile:



Has a plan to relocate for a period exceeding 90 days *AND*



Will reside with a legal guardian, relative, non-relative or independently *OR*



Is a fulltime student at an accredited secondary school, university/college, or a licensed specialized training program

A supervised juvenile who is relocating to another state must be transferred through the ICJ if the juvenile:

Is classified as a juvenile in the sending state; and

Is an adjudicated delinquent, adjudicated status offender, or has a deferred adjudication; and

Is under the jurisdiction of a court of appropriate authority; and

Has a plan to relocate for a period exceeding 90 days; and

Has more than 90 days of supervision remaining; and

Will reside with a legal guardian, relative, non-relative or independently; OR

Is a fulltime student at an accredited secondary school, university/college, or a licensed specialized training program.

Additional Responsibilities of ADJC (ICJ)

- Transfers of Supervision
- Return of Runaways
- Travel Permits
 - Sex-related offenses
 - Violent offenses that resulted in personal injury or death
 - Offenses committed with a weapon

Transfers of Supervision - All cases relocating to Arizona are received and supervised by staff from the Arizona Department of Juvenile Corrections (ADJC)

Return of Runaways - ICJ facilitates the return of delinquent and non-delinquent runaways, absconders and those on warrant status

Travel Permits - Mandatory for juveniles traveling out-of-state over 24 consecutive hours and who have been adjudicated and are on supervision for

- Sex-related offenses
- Violent offenses that resulted in personal injury or death
- Offenses committed with a weapon

Responsibilities of the Sending Probation Officer

- Contact ADJC once aware of the transfer needs

Jovay Jackson - Applications and Correspondence
(602) 364-3509

JMJackson@azdjg.gov

Howard Wykes - Deputy Compact Administrator
(480) 229-4831

hwykes@azdjg.gov

ADJC contacts will provide the PO with the list of items that are needed and will provide information about the process.

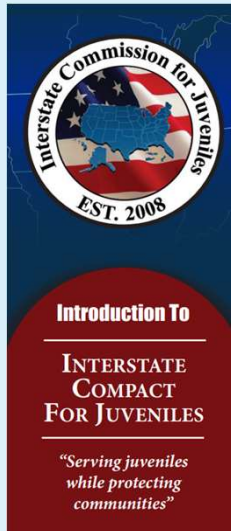
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Note: Judges may order the transfer to another state; however, it must be initiated using the process set forth through ICJ and the contacts from ADJC

Interstate Commission for Juveniles

[Interstate Commission for Juveniles \(juvenilecompact.org\)](http://juvenilecompact.org)



- Informational Brochure
[Intro to ICJ Brochure.pdf \(juvenilecompact.org\)](http://juvenilecompact.org/sites/default/files/pdf/ICJ%20Quick%20Reference%20Guide%20Web%20Version.pdf)
- Quick Reference Guide
<https://www.juvenilecompact.org/sites/default/files/pdf/ICJ%20Quick%20Reference%20Guide%20Web%20Version.pdf>




HANDOUT

[Interstate Commission for Juveniles \(juvenilecompact.org\)](http://juvenilecompact.org)

Informational Brochure [Intro to ICJ Brochure.pdf \(juvenilecompact.org\)](http://juvenilecompact.org/sites/default/files/pdf/ICJ%20Quick%20Reference%20Guide%20Web%20Version.pdf)

Quick Reference Guide

<https://www.juvenilecompact.org/sites/default/files/pdf/ICJ%20Quick%20Reference%20Guide%20Web%20Version.pdf>



What do you think?

How does information sharing differ between Disposition Transfers, Courtesy Supervision, Probation Transfers, and Interstate Compact?

Which of the above requires the closest contact between the POs in the sending and receiving jurisdictions?

Discussion- suggested answers

- Disposition Transfers – there is no probation or supervision details, the sending county has only the offense information and the adjudication information to pass along
- Courtesy Supervision – this requires **the most contact** between POs since both are involved in the supervision of the youth
- Probation Transfers – once the case is accepted by the receiving county, the sending county has no additional responsibilities
- Interstate Compact – for sending cases, information is passed along and the accepting state takes responsibility. County probation departments will not supervise youth coming to AZ from other states. Those are handled by ADJC

Closing Thoughts

- Refer to departmental policy regarding specific process and timelines
- Electronic information for transferred cases
 - AZYAS portal
 - JOLTSaz
 - SharePoint
- Agents of Change

Departmental policy – each department will have specific policies for how Transfers of Disposition, Transfers of Probation, and Courtesy Supervision will be handled.

Electronic data

- AZYAS – assessments completed by other departments cannot be accessed, hard copies of assessment results should be shared with the receiving county
- JOLTSaz – depending upon the counties involved, some data may not be accessible in JOLTSaz. Sending counties should provide all pertinent case information
- SharePoint – questions about how to document or interpret transferred case data in electronic systems are addressed in JJSD SharePoint sites (JOLTSaz, iCIS, Justice Tools)

Agents of Change – transitions are disruptive and the juvenile could potentially “fall through the cracks”. The goal is to continue having a positive impact on juveniles regardless of transitions. Reflect back on the list generated at the beginning of class and make adjustments as necessary.



- Phone: (602)452-3443
- Email:
POCA@courts.az.gov
- Request Assistance
from *Probation
Operations Team*

THANK YOU!

This concludes our training. If you have any questions, please don't hesitate to contact us or Juvenile Justice Services Division at the AOC. Thank you!

Facilitators – feel free to distribute your contact information